

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF PLUMBERS**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Tuesday, February 16, 2016

9:00am

In attendance: Lionel Bernardino

Larry Giorgi

Jeffrey Hutton

Richard Mandarini

Michael Newman

William J. Riley, Chair

Board Members Anthony Cardarelli and Michael Raposa were not in attendance.

Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; John Shaw, Administrator; Mary Ellen McQueeney-Lally, DLT Legal Counsel; George W. Whalen, Executive Director, Contractors' Registration and Licensing Board; Nancy E. Scarduzio, Small Business Ombudsman, Office of Management & Budget and Michael H. Scallon, State Plumbing/Mechanical Code Inspector.

1.) Call to Order: The meeting was called to order at 9:02 am by Chair William J. Riley.

2.) Minutes of December 15, 2015: Richard Mandarinini made a motion to accept the minutes of December 15, 2015; seconded by Larry Giorgi and passed unanimously.

3.) Minutes of November 25, 2015: Continuing Education Requirement Subcommittee Meeting: Michael Raposa made a motion to accept the minutes of November 25, 2015; seconded by Michael Newman and passed unanimously.

4.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: , Mary Ellen McQueeney-Lally DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest. If there is a conflict, or a board member feels they cannot be impartial, board members should recues from both hearing and voting on the matter. Legal counsel is available if needed. Forms are available.

5.) Violation Appeal Hearings:

Joseph Ferreira – Violation 5384 Mr. Ferreira is in attendance.

E. Patrick Luther reads violation 5384

LOCATION OF VIOLATION:

Dunkin Donuts

259 Putnam Pike

Smithfield RI 02828

VIOLATION:

RIGL 5-20-25 Registration of Plumbing and irrigation apprentices

On November 17, 2015, RIDLT Chief Plumbing Investigator, E. Patrick Luther, conducted an investigation at the above location. Upon entering the premises I witnessed an individual assisting Joseph Ferreira, Master Plumber license number MP002019, in the installation of PVC drainage in the cellar bottom of the Dunkin Donuts. The individual was identified as Emanuel C Moniz of 200 Spruce St., Fall River, MA 02720-7323. At the time of inspection Mr. Moniz did not hold a RI plumbing license or apprentice card as required by law. Mr. Joseph Ferreira was made aware that under RIGL a license or

apprentice card was needed to assist in the installation of plumbing. This is a violation of the above referenced Rhode Island General Law.

E. Patrick Luther provides testimony and is questioned by the Board.

Joseph Ferreira provides testimony and is questioned by the Board.

Regarding Violation 5384, Leo Bernardino made a motion that a violation was committed; seconded by Michael Newman. All were in favor. Motion passed.

Regarding the fine for Violation 5384, Larry Giorgi made a motion that the fine of \$1,500.00 be suspended for one (1) year pending no further violation(s). Michael Newman seconded that motion. William Riley, Chairperson, asked if there is any further discussion regarding the fine. Leo Bernardino added that if Mr. Ferreira does come in front of Board again, he will have to pay the \$1,500 penalty plus whatever else the new fine may be. Mr. Riley stated that this is an amendment to Larry Giorgi's motion. Leo Bernardino made a motion to amend the motion. Michael Newman seconded the motion. All were in favor

Emanuel Moniz – Violation 5385 Mr. Moniz is in attendance.

E. Patrick Luther reads Violation 5385.

LOCATION OF VIOLATION:

Dunkin Donuts

259 Putnam Pike

Smithfield RI 02828

VIOLATION:

RIGL 5-20-25 Registration of plumbing and irrigation apprentices

On November 17, 2015, RIDLT Chief Plumbing Investigator, E. Patrick Luther, conducted an investigation at the above location. Upon entering the premises I witnessed Emanuel C. Moniz, of 200 Spruce St, Fall River, MA 02720-7323, assisting in the installation of PVC drainage. At the time of inspection, Mr. Moniz did not hold a RI plumbing license or apprentice card as required by law. Mr. Joseph Ferreira the master plumber permit holder (MP002019) was made aware that under RIGL a license or apprentice card was needed to assist him in the installation of plumbing. This is a violation of the above referenced Rhode Island General Law.

E. Patrick Luther provides testimony and is questioned by the Board.

Emanuel Moniz provides testimony and is questioned by the Board.

Regarding Violation 5385, Michael Newman made a motion that a violation was committed; seconded by Larry Giorgi. All were in favor. Motion passed.

Regarding the fine for Violation 5385 Michael Newman made a motion that the fine of \$1,500.00 be suspended for one (1) year pending no further violation(s). Jeffrey Hutton seconded that motion. All were in favor. Motion passed.

6.) Apprentice Program

- Anthony Bianco Phil Mangione MP001523**
- Johnathan Humphries Chuck Cummings MP001644**
- Paul Nelson Joe Cinco MP001642**
- Robert Muzzy Bill Riley MP001234**

E. Patrick Luther confirms that requirements have been met.

William Riley, Chairperson, recused himself from this matter. Michael Newman stepped in as Vice-Chairperson. Leo Bernardino made a motion to accept the new apprentice approvals / apprentice registrations; seconded by Jeff Hutton; William Riley recused and remaining board member were in favor.

7.) Review and possible vote of Regulations for Mandatory Continuing Education:

A separate meeting will be scheduled with the Board to review the regulations for continuing education at a later date.

Michael Newman made a motion to reschedule the meeting to another date. Leo Bernardino seconded the motion; the Board was in favor.

8.) Adjournment: Jeff Hutton made a motion to adjourn; seconded by Leo Bernardino. The motion passed unanimously. Meeting adjourned at 9:37 am.